

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

CHARLES NEWTON,

Case No. 2:18-cv-00508-JCM-NJK

Plaintiff

## ORDER

V.

JAMES DZURENDIA,

### Defendant

## I. DISCUSSION

According to the Nevada Department of Corrections (“NDOC”) inmate database, Plaintiff is no longer incarcerated. However, Plaintiff has not filed an updated address with this Court. The Court notes that pursuant to Nevada Local Rule of Practice IA 3-1, a “pro se party must immediately file with the court written notification of any change of mailing address, email address, telephone number, or facsimile number. The notification must include proof of service on each opposing party or the party’s attorney. Failure to comply with this rule may result in the dismissal of the action, entry of default judgment, or other sanctions as deemed appropriate by the court.” Nev. Loc. R. IA 3-1. This Court grants Plaintiff until **February 14, 2019**, to file his updated address with this Court. If Plaintiff does not update the Court with his current address by February 14, 2019, the Court will dismiss this action without prejudice.

Additionally, the Court denies the application to proceed *in forma pauperis* for prisoners, Docket No. 1, as moot because Plaintiff is no longer incarcerated. The Court now directs Plaintiff to file an application to proceed *in forma pauperis* by a non-prisoner no later than February 14, 2019, or pay the full filing fee of \$400.

## II. CONCLUSION

For the foregoing reasons, IT IS ORDERED that Plaintiff shall file his updated address with the Court **no later than February 14, 2019**.

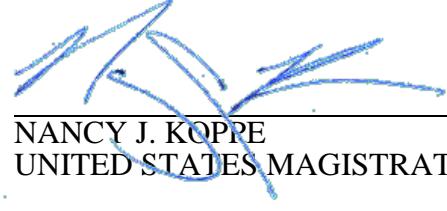
IT IS FURTHER ORDERED that Plaintiff's application to proceed *in forma pauperis* for prisoners, Docket No. 1, is **DENIED** as moot.

1           IT IS FURTHER ORDERED that the Clerk of the Court SHALL SEND Plaintiff the  
2 approved form application to proceed *in forma pauperis* by a non-prisoner, as well as the document  
3 entitled information and instructions for filing an *in forma pauperis* application.

4           IT IS FURTHER ORDERED that, **no later than February 14, 2019**, Plaintiff shall either:  
5 (1) file a fully complete application to proceed *in forma pauperis* for non-prisoners; or (2) pay the  
6 full filing fee of \$400.

7           IT IS FURTHER ORDERED that, if Plaintiff fails to timely comply with this order, the  
8 Court shall dismiss this case without prejudice.

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10           DATED: January 15, 2019.

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12             
13           NANCY J. KOPRE  
14           UNITED STATES MAGISTRATE JUDGE

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